mape/ DEC 5 8 5003 **Application Number** 10/081,767 NSMITTAL Filing Date February 25, 2002 **FORM** (to be used for all correspondence after initial filing) First Named Inventor Shunpei YAMAZAKI, et al. **Group Art Unit** 2813 **Examiner Name** Thanh T. Nguyen Total Number of Pages in This Submission Attorney Docket Number 740756-2443 **Confirmation Number** 9406 ENCLOSURES (check all that apply) Fee Transmittal Form **Assignment Papers** After Allowance Communication to Group (for an Application) Appeal Communication to Board of Fee Attached Appeals and Interferences Drawing(s) Amendment / Reply Appeal Communication to Group Declaration and Power of Attorney (Appeal Notice, Brief, Reply Brief) After Final ☐ Licensing-related Papers Proprietary Information ☐ Status Letter ☐ Petition Affidavits/declaration(s) Application Data Sheet Petition to Convert to a Provisional Extension of Time Request Request for Corrected Filing Receipt with Application **Enclosures** ☐ Express Abandonment Request Power of Attorney, Revocation A self-addressed prepaid postcard for Change of Correspondence Address acknowledging receipt ☐ Information Disclosure Statement ☐ Terminal Disclaimer Other Enclosure(s) (please identify below): Certified Copy of Priority Request for Refund Document(s) CD, Number of CD(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Remarks The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Jeffrey L. Costellia Firm Registration No.: 35,483 Individual name NIXON PEABODY LLP 401 9th Street, N.W., Suite 900 Washington, D.C. 20004 Signature comber 29, 2003 Date CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop , Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 □ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703)

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Date

Docket No. 740756-2443



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
Shunpei YAMAZAKI, et al.)	Group Art Unit: 2813
Serial No. 10/081,767)	Examiner: Thanh T. Nguyen
Filed: February 25, 2002)	
For: METHOD OF MANUFACTURING A SEMICONDUCTOR FILM WITH LITTLE WARP (AMENDED))	Confirmation No. 9406

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Sir:

RESPONSE TO RESTRICTION/ELECTION OF SPECIE REQUIREMENT

In response to the Restriction Requirement/Election of Species mailed December 15, 2003, the Applicants set forth the following election with traverse:

Species 1, directed to Embodiments 5 and 6 (and Figures 21A-21D and Figures 22A-22E),

Accordingly, the invention of Specie I is readable on claims 6-8, 17-22, 49-77, 78-85.

The Applicants additionally note for the Examiner's consideration that, notwithstanding the Examiner's <u>improper identification</u> that claims 6-8, 78 and 82 are specie (see MPEP Chapter 806.04(e)), claim 78, with its steps of "irradiating", "heating" and "etching", is <u>generic</u> to the invention of claims 7, 80 and 81 (which add the dependent features of crystallizing the semiconductor film prior to the irradiation step and/or promoting crystallization of the semiconductor film by adding a crystallization promoting metal to the semiconductor before the steps of "irradiating", "heating" and "etching" of claim 78). It is further noted that claim 82, with its steps

of "irradiating", "etching" and "heating", is generic to the invention of claims 8, 84 and 85 (which add the dependent features of crystallizing the semiconductor film prior to the irradiation step and/or promoting crystallization of the semiconductor film by adding a crystallization promoting metal to the semiconductor before the steps of "irradiating", "etching" and "heating" of claim 82). Finally, it is also noted out that claim 6 is a sub-combination of either the combination claim 7 or claim 8, i.e., the "etching" step is omitted, and that combination claims 7 and 8 require the particulars of the sub-combination claim 6 (and are therefore not divisible therefrom according to MPEP Chapter $806.05(c)(II) - AB_{sp}-B_{sp}$ No Restriction).

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, the Examiner is hereby invited to telephone counsel to arrange such a conference.

Consideration and allowance of the instant application is now respectfully requested.

Respectfully submitted,

Jeffrey L. Costellia

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Date: December 29, 2003

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